



CITY OF SAN PABLO

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Office of the City Attorney

June 24, 2002

Natalie Bocanegra
Staff Counsel
Fair Political Practices Commission
P.O. Box 807
428 "J" Street
Sacramento, CA 95812-0808

Re: Regulation 18707.3

Dear Ms. Bocanegra:

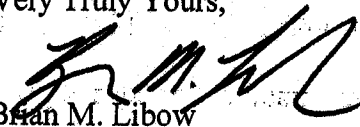
The FPPC's agenda for July 12, 2002 includes an analysis of Regulation 18707.3, the exception geared specifically towards small jurisdictions. Evidently the City of Yountville has raised concerns with the application of this regulation because it incorporates the "500 foot" rule as one of the preconditions for application of the "public generally" exception for small jurisdictions.

I would like to raise a second concern on behalf of the City of San Pablo and similar cities. San Pablo is a "small jurisdiction" in every sense of the word. However, it does not meet the qualifications set forth in Section 18707.3 because its population exceeds 25,000. On the other hand, because the City of San Pablo encompasses only 2.6 square miles, it is more of a "small jurisdiction" than many of the jurisdictions which are subject to the exception. The 500 foot rule has even more of an exclusionary effect in cities the geographic size of San Pablo than in cities with less population but greater geographic size.

Therefore, I would like the Commission to consider adding a "square mileage" exemption as an alternative to the population exemption set forth in the Regulation.

Please feel free to call me if you have questions or concerns.

Very Truly Yours,


Brian M. Libow
City Attorney

BML:cas

cc: City Manager
JoAnn Speers, League of California Cities